

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK**

JUDGMENT IN A CIVIL CASE

BARBARA FRYE, on behalf of A.O.

vs.

CASE NUMBER: 5:10-CV-98 (GTS/ATB)

MICHAEL J. ASTRUE, Commissioner of Social Security

Decision by Court. This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

IT IS ORDERED AND ADJUDGED

That the Report and Recommendation of Magistrate Judge Andrew T. Baxter is ACCEPTED and ADOPTED in its entirety, Ordered that Plaintiff's Motion for Remand is DENIED, and Defendant's Motion for Judgment on the Pleadings is GRANTED. The Commissioner's decision denying disability benefits is AFFIRMED and Plaintiff's Complaint is DISMISSED.

All of the above pursuant to the order of the Honorable Judge Glenn T. Suddaby, dated the 31st day of March, 2011.

DATED: March 31, 2011


Clerk of Court

s/

Joanne Bleskoski
Deputy Clerk